

acknowledges that her conduct constitutes failure to comply with the Board's Standards of Conduct at 244 Code of Massachusetts Regulations (CMR) 9.03(5), (35), (37), (39) and (47) and warrants disciplinary action by the Board under Massachusetts General Laws (G.L.) Chapter 112, section 61 and Board regulations at 244 CMR 7.04, Disciplinary Actions.

3. The Licensee agrees that her Registered Nurse license and authorization to engage in advanced practice as a Certified Registered Nurse Anesthetist shall be placed on PROBATION for no less than one year (Probationary Period), commencing with the date on which the Board signs this Agreement (Effective Date).
4. During the Probationary Period, the Licensee further agrees that she shall comply with all of the following requirements to the Board's satisfaction:
 - a. Comply with all laws and regulations governing the practice of nursing, and not engage in any continued or further conduct such as that set forth in Paragraph 2.
 - b. Notify the Board in writing within ten (10) days of each change in her name and/or address.
 - c. Timely renew her license to practice as a Registered Nurse and her authorization to practice as a Certified Registered Nurse Anesthetist.
 - d. Maintain active employment in a position that requires a Registered Nurse license, with authorization to engage in advanced practice as a Certified Registered Nurse Anesthetist, for a minimum average of twenty (20) hours per week throughout the Probationary Period, in a setting where the Licensee receives supervision and/or has the ability to immediately contact her supervising physician. The Licensee may not accept any home care, travel or temporary staffing assignment, or other practice assignment where consistent, on-site supervision is not in place.
 - i. Within 30 days of the Effective Date, the Licensee shall notify the Board's Probation Monitor in writing if the Licensee is not employed in accordance with paragraph 4d.
 - e. Review this Agreement with her supervising physician, and arrange for her supervising physician to submit directly to the Board:
 - i. a completed and signed "Supervisor Verification Form" (Form 1), provided with this Agreement, within thirty (30) days of the
 - (1) the Effective Date *and*
 - (2) any subsequent employment commenced during the Probationary Period, and

- ii. *quarterly* written reports², using the “Supervision Report Form” (Form 2) provided with this Agreement attesting to the quality of the Licensee’s Certified Registered Nurse Anesthetist practice, reliability and attendance, and specifically addressing Licensee’s proper administration and documentation of controlled substances, including any errors and incidents³.
 - f. Notify the Board’s Probation Monitor in writing within ten (10) days of any change in the Licensee’s employment status, including each change in Employer, each resignation or termination, and the name, address and telephone number of each new Employer.
 - g. Submit her fully signed, current practice guidelines that comply with all applicable Board regulations within thirty (30) days of the Effective date of the Consent Agreement.
5. The Board agrees that in return for the Licensee’s execution and successful compliance with all the requirements of this Agreement it will not prosecute the Complaint.
6. If the Licensee has complied to the Board’s satisfaction with all the requirements contained in this Agreement, the Probationary Period will terminate one (1) year after the Effective Date upon written notice to the Licensee from the Board⁴.
7. If the Licensee does not comply with each requirement of this Agreement, or if the Board opens a Subsequent Complaint⁵ during the Probationary Period, the Licensee agrees to the following:
- a. The Board may upon written notice to the Licensee, as warranted to protect the public health, safety, or welfare:
 - i. EXTEND the Probationary Period; and/or
 - ii. MODIFY the Probation Agreement requirements; and/or

² The Licensee is responsible for ensuring that these reports on the required form are received by the Board commencing ninety (90) days after the Effective Date and on the first day of every third month thereafter.

³ The Board may take action under paragraph 7 in the event that the reports reveal a practice issue which the Board deems significant.

⁴ In all instances where this Agreement specifies written notice to the Licensee from the Board, such notice shall be sent to the Licensee’s address of record.

⁵ The term “Subsequent Complaint” applies to a complaint opened after the Effective Date, which (1) alleges that the Licensee engaged in conduct that violates Board statutes or regulations, and (2) is substantiated by evidence, as determined following the complaint investigation during which the Licensee shall have an opportunity to respond.

- iii. IMMEDIATELY SUSPEND the Licensee's Registered Nurse license and/or her authorization to engage in advanced practice as a Registered Certified Nurse Anesthetist.
 - b. If the Board suspends the Licensee's Registered Nurse license and/or her authorization to engage in advance practice as a Certified Registered Nurse Anesthetist pursuant to Paragraph 7(a)(iii), the suspension shall remain in effect until:
 - i. the Board gives the Licensee written notice that the Probationary Period is to be resumed and under what terms; or
 - ii. the Board and the Licensee sign a subsequent agreement; or
 - iii. the Board issues a written final decision and order following adjudication of the allegations (1) of noncompliance with this Agreement, and/ or (2) contained in the Subsequent Complaint.
8. The Licensee agrees that if the Board suspends her Registered Nurse license and/or authorization to engage in advanced practice as a Certified Registered Nurse Anesthetist in accordance with Paragraph 7, she will immediately return her current Massachusetts license to practice as a Registered Nurse and authorization to engage in advanced practice as a Certified Registered Nurse Anesthetist to the Board, by hand or certified mail. The Licensee further agrees that upon said suspension, she will no longer be authorized to engage in the practice of nursing in the Commonwealth of Massachusetts and shall not in any way represent herself as a Registered Nurse or Certified Registered Nurse Anesthetist until such time as the Board reinstates her nursing license or right to renew such license⁶.
9. The Licensee understands that she has a right to formal adjudicatory hearing concerning the Complaint and that during said adjudication she would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her own behalf, to contest the allegations, to present oral argument, to appeal to the courts, and all other rights as set forth in the Massachusetts Administrative Procedures Act, G. L. c. 30A, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 *et seq.* The Licensee further understands that by executing this Agreement she is knowingly and voluntarily waiving her right to a formal adjudication of the Complaint.
10. The Licensee acknowledges that she has been represented by legal counsel in connection with the Complaint and this Agreement.

⁶ Any evidence of unlicensed practice or misrepresentation as a Registered Nurse or Certified Registered Nurse Anesthetist after the Board has notified the Licensee of her license suspension shall be grounds for further disciplinary action by the Board and the Board's referral of the matter to the appropriate law enforcement authorities for prosecution, as set forth in G.L. c. 112, §§ 65 and 80.

11. The Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board. The Board may forward a copy of this Agreement to other licensing boards, law enforcement entities, and other individuals or entities as required or permitted by law.
12. The Licensee certifies that she has read this Agreement. The Licensee understands and agrees that entering into this Agreement is a voluntary and final act and not subject to reconsideration, appeal or judicial review.

Kat Furnelli 08/27/15 A. E. Furnelli 8/27/15
 Witness (sign and date) Licensee (sign and date)

 Witness (print name)

Amy B. Fein
 Amy B. Fein
 for the Board of Registration in Nursing
 Board Authority Signatory

September 2, 2015
 Effective Date of Probation Agreement

Fully Signed Agreement Sent to ~~Licensee~~ ^{Licensee's Attorney} on September 2, 2015 by ~~Certified~~ ^{First Class Mail}
 Mail No. _____